

PHYSICAL THERAPY LICENSURE BOARD
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 2/12/2021

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BOARD MEMBERS PRESENT: M Andrew Mix - Chair
Craig L Esplin
Glady Schroeder
Deanna Dye
Angela L Lippiello

DIVISION STAFF: Julie Eavenson, Licensing Group Manager
Lori Peel, Investigative Unit Manager
Nicholas Krema, General Counsel
Greg Floyd, Financial Unit Manager
Dicsie Gullick, Team Lead
Debbie Toncray, Board Specialist
Eric Nelson, Board Prosecutor

The meeting was called to order at 9:00 AM MST by M Andrew Mix.

APPROVAL OF MINUTES

Mr. Esplin made a motion to approve the minutes of 8/7/2020, 9/8/2020, 9/29/2020, and 10/21/2020. It was seconded by Ms. Schroeder. Motion carried.

COMPLAINT MEMORANDUM

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Dye made a motion to approve the Division's recommendation and authorize closure in case number I-PHT-2020-9. It was seconded by Ms. Lippiello. Motion carried.

EXECUTIVE SESSION

Ms. Schroeder made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Ms. Lippiello. The vote was: Mr. Mix, aye; Mr. Esplin, aye; Ms. Schroeder, aye; Ms. Dye, aye; and Ms. Lippiello, aye. Motion carried.

Ms. Schroeder made a motion to come out of executive session. It was seconded by Ms. Lippiello. Motion carried.

DISCIPLINE

Ms. Dye made a motion to release respondent in PHT-2018-4 from probation. It was seconded by Ms. Schroeder. Motion carried.

LAWS AND RULES

Mr. Crema discussed the temporary rules reauthorization with the Board. Ms. Lippiello made the following motion: "Pursuant to Section 67-5226, Idaho Code, the Governor has found that temporary adoption of rule 24.13.01 is appropriate to protect the public health, safety, and welfare of the citizens of Idaho and confer a benefit on its citizens. These rules implement the duly enacted laws of the state of Idaho, provide citizens with the detailed rules and standards for complying with those laws, and assist in the orderly execution and enforcement of those laws. The expiration of these rules without due consideration and processes would undermine the public health, safety and welfare of the citizens of Idaho and deprive them of the benefit intended by these rules. The Governor has also found that the fees being imposed are justified and necessary to avoid immediate danger to the Board's budget, to the state budget, to necessary state functions and services, and to avoid immediate danger of a potential violation of Idaho's constitutional requirement that it balance its budget. Therefore, we are adopting this/these temporary fee rule(s) to be effective upon *sine die* of the 2021 session of the Idaho Legislature. The approval is conditional and will only become effective if the rules are not otherwise approved or rejected by the Legislature and/or not extended pursuant to the Idaho Administrative Procedure Act, including sections 67-5291 and 67-5292, Idaho Code." It was seconded by Ms. Schroeder. Motion carried

FINANCIAL REPORT

Mr. Floyd gave the financial report, which indicated that the Board had a cash balance of \$181,941.69 as of 1/31/2021.

DIVISION BUSINESS

The Board reviewed the To Do List.

Ms. Lippiello reviewed the drafts of the National Physical Therapy Exam (NPTE) letters regarding the fourth, fifth, and sixth attempts to pass the NPTE with the Board. The Board suggested revisions to the letters. Mr. Esplin made a motion to approve the revisions and authorize the Division to start using the letters when necessary. It was seconded by Ms. Schroeder. Motion carried.

BOARD BUSINESS

FEDERATION OF STATE BOARDS OF PHYSICAL THERAPY (FSBPT) 2021 LEADERSHIP ISSUES FORUM (LIF) AND ANNUAL MEETING

The Board reviewed the information and dates for the virtual 2021 LIF and annual meetings. Mr. Esplin made a motion to authorize Ms. Dye as the delegate and Ms.

Lippiello as the alternate delegate to attend both the virtual LIF and annual meetings. It was seconded by Ms. Schroeder. Motion carried.

DISCUSSION: TIME REQUIREMENT FOR APPLICANTS' REFERENCES

Ms. Lippiello reviewed the two-year time period requirement of personal knowledge about an applicant for the references in both the physical therapist and physical therapist assistant applications. The Board noted that this requirement is not stated in the law but in Rule 150.06. The Board agreed to add the removal of references to the To Do List for future review.

EXECUTIVE SESSION

Ms. Schroeder made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to consider documents relating to the fitness of an applicant to be granted a license or registration. It was seconded by Ms. Lippiello. The vote was: Mr. Mix, aye; Mr. Esplin, aye; Ms. Schroeder, aye; Ms. Dye, aye; and Ms. Lippiello, aye. Motion carried.

Ms. Schroeder made a motion to come out of executive session. It was seconded by Ms. Lippiello. Motion carried.

APPLICATIONS

Mr. Esplin made a motion to approve the following for examination:

Applicant ID 901179544
Applicant ID 901141058
Applicant ID 901180673
Applicant ID 901180717

It was seconded by Ms. Schroeder. Motion carried.

NEXT MEETINGS were scheduled for May 14, 2021 at 9:00 AM MDT and August 6, 2021 at 9:00 AM MDT.

ELECTION OF OFFICERS

Mr. Esplin nominated Mr. Mix to continue to serve as the Board chair. It was seconded by Ms. Lippiello. Motion carried.

ADJOURNMENT

Ms. Lippiello made a motion to adjourn the meeting at 12:12 PM MST. It was seconded by Ms. Schroeder. Motion carried.